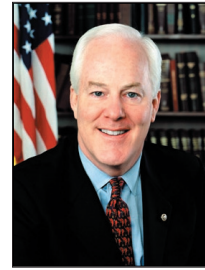


House Judiciary Committee Members:

Mr. Sensenbrenner	(Wisconsin) Chairman	(202) 225-5105
Mr. Hyde	(Illinois)	(202) 225-4561
Mr. Conyers	(Michigan) Ranking	(202) 225-5126
Mr. Coble	(North Carolina)	(202) 225-3065
Mr. Berman	(California)	(202) 225-4695
Mr. L. Smith	(Texas)	(202) 225-4236
Mr. Boucher	(Virginia)	(202) 225-5235
Mr. Gallegly	(California)	(202) 225-5811
Mr. Nadler	(New York)	(202) 225-5635
Mr. Goodlatte	(Virginia)	(202) 225-5431
Mr. R. Scott	(Virginia)	(202) 225-8351
Mr. Chabot	(Ohio)	(202) 225-2216
Mr. Watt	(North Carolina)	(202) 225-1510
Mr. Jenkins	(Tennessee)	(202) 225-6356
Ms. Lofgren	(California)	(202) 225-3072
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Ms. Jackson Lee	(Texas)	(202) 225-2661
Mr. Bachus	(Alabama)	(202) 225-4921
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Mr. M. Green	(Wisconsin)	(202) 225-5665
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Ms. Baldwin	(Wisconsin)	(202) 225-2906
Mr. Flake	(Arizona)	(202) 225-2635
Mr. Weiner	(New York)	(202) 225-6616
Mr. Pence	(Indiana)	(202) 225-3021
Mr. Schiff	(California)	(202) 225-4176
Mr. Forbes	(Virginia)	(202) 225-6365
Ms. L. Sanchez	(California)	(202) 225-6676
Mr. S. King	(Iowa)	(202) 225-4426
Mr. Carter	(Texas)	(202) 225-3864
Mr. Feeney	(Florida)	(202) 225-2706
Mrs. Blackburn	(Tennessee)	(202) 225-2811



On November 13, 2003 we announced the Artist's Rights and Theft Prevention Act (ART) to crack down on video and audio piracy. Piracy is having an increasingly damaging impact on the entertainment industry. We are committed to strengthening the rights of all copyright owners who deserve control over their work.

The Cornyn-Feinstein Bill is a crucial step to protect artists and their industries so they can continue producing the music, movies and entertainment we enjoy every day.

Our bill has two major provisions:

- First, the bill makes it a federal crime to videotape movies in theaters without authorization.
- Second, the bill makes it easier for prosecutors to convict individuals who put pre-released material on the Internet or for aggrieved parties to file lawsuits.

We realize the solutions to protecting intellectual property are not always simple. Some claim that people might accidentally make copyrighted music available on the Internet through peer-to-peer software, or that others may not realize that the material they are sharing is copyrighted at all.

As a result, it is sometimes hard to reach consensus on these issues, even though we think it is quite clear that a vast number of people who use peer-to-peer networks to distribute music, movies, or other material know that what they are doing is wrong, and that it is illegal.

Either way, this bill should not be a hard sell. We specifically want to stop the illegal videotaping of movies which everyone realizes is wrong and the illegal prerelease of copyright-protected material to the public. The ART Act aims to protect the entertainers who produce great movies, music and media.

Sincerely,

Sincerely,

Diane Feinstein

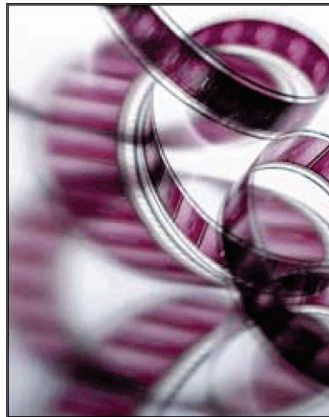
The Constitutional foundation for copyright protection:

Article I, Section 8 of the Constitution provides that: "The Congress Shall have Power To...promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries."

This clause, important enough to be included in the Constitution of the United States, indicates how important our Founding Fathers found copyright protection to be.

In order to promote the progress of the arts and sciences; and this would include books, music, scientific inventions, medical discoveries, movies, computer software, and so on – Congress is granted the right to give exclusive control over those things, for limited time, to the those who create them.

And this legislation simply helps give creators that protection.



According to the most recent MPAA study, 92.4% of the first copies of movies available for download on the Internet originate from camcorders.



Senators Cornyn and Feinstein cannot get this bill passed without your help and the support of the House and Senate Judiciary Committees.

Please take a moment and call or write to as many members as possible to urge them to support the ART Act.

Senate Judiciary Committee Members

Senator Orrin G. Hatch, Chair	[R-UT]	(202) 224-5251
Senator Patrick Leahy, Ranking Member	[D-VT]	(202) 224-4242
Senator Chuck Grassley	[R-IA]	(202) 224-2744
Senator Edward Kennedy	[D-MA]	(202) 224-4543
Senator Arlen Specter	[R-PA]	(202) 224-4254
Senator Joseph R. Biden, Jr.	[D-DE]	(202) 224-5042
Senator Jon Kyl	[R-AZ]	(202) 224-4521
Senator Herbert Kohl	[D-WI]	(202) 224-5653
Senator Mike DeWine	[R-OH]	(202) 224-2315
Senator Jeff Sessions	[R-AL]	(202) 224-4124
Senator Russell D. Feingold	[D-WI]	(202) 224-5323
Senator Lindsey Graham	[R-SC]	(202) 224-5972
Senator Charles E. Schumer	[D-NY]	(202) 224-6542
Senator Larry Craig	[R-ID]	(202) 224-2752
Senator Richard J. Durbin	[D-IL]	(202) 224-2152
Senator Saxby Chambliss	[R-GA]	(202) 224-3521
Senator John Edwards	[D-NC]	(202) 224-3154

House Judiciary Committee members on next page.



Senator Feinstein, Senator Cornyn and Actress Bo Derek at a news conference to introduce anti-piracy legislation.

Growing Losses for the Economy

Although the Internet offers limitless possibilities for easier, broader



An estimated 400,000 to 600,000 films per-day are illegally distributed throughout the world on peer-to-peer networks.

and potentially cheaper access to content, it also provides users a sophisticated weapon for abuse.

High quality, yet illegal, copies of copyrighted material can be and are distributed easily and almost instantly via email systems, peer-to-peer networks and similar electronic means to millions of online users on a regular basis.

This theft results in growing losses for the entertainment industry, and the economy. For example:

In 2000, the ten top selling albums sold 60 million units, in 2001 they sold 40 million units and in 2002 the top ten selling albums sold only 34 million units. Not all of this loss can be attributed to illegal downloading, but certainly a large portion can;

According to the most recent MPAA study, 92.4% of the first copies of movies available for download on the Internet originate from camcorders;

The motion picture industry loses over \$3 billion a year to pirated DVDs, video CDs, and videotapes.

By some estimates, the motion picture industry loses over \$3 billion a year to pirated DVDs, video CDs, and videotapes.



An Economic Engine for America

Intellectual property in the form of music, film, software, and books represents one of the strongest sectors of the United States economy.

- These entertainment industries account for more than 5 percent of the United States Gross Domestic Product (GDP), or \$535 billion in 2001.
- Almost 6 percent of all U.S. employees are in the music, film, software or book industries.
- In the past 25 years, the combined share of the GDP from these industries grew more than twice as fast as the rest of the U.S. economy.

This bill would protect the hard work of these employees who help drive the country's economy and contribute products that everyone enjoys.

David Goldstein

Set Painter



The first movie I did was "Breathless", with Richard Gere in 1983, then Dick Tracy, "The Natural", and "Beverly Hills Cop"....The piracy issue...it affects me, the guy working on construction, the lighting guy, the sound guy – because we are not million dollar employees.

Manny Perry

Stuntman



A lot of people put a lot of time, energy, effort and in my situation, lives are on the line. They're doing all that and people come along and push a couple of buttons and reap all the benefits? – That's just not right.



Artists' Rights and Theft Prevention Act

First, the bill makes it a federal crime to videotape movies in theaters without authorization.

Surprisingly only four states: New York, California, Pennsylvania, Wisconsin, and the District of Columbia have laws against walking into a movie theater and using a camcorder to record a movie. That leaves 46 other states with no laws against what is essentially the theft of property.

Pirates use hand-held video cameras to record films off theater screens to copy onto blank video cassettes and optical discs for illegal distribution. These illicit copies are not only distributed to pirates in the US, but also shipped overseas and distributed through illegal channels even before the film's international theatrical release.

Walking into a movie theater and surreptitiously videotaping a movie is clearly wrong, clearly inappropriate, and it is something that should clearly be illegal.



Second, the bill makes it easier for prosecutors to convict individuals who put pre-released material on the Internet.

This would include songs that have not yet been released to the public, movies still in theaters, software not yet in stores, and so on. The point is that there is no legitimate purpose for a person taking copyrighted material not legally available to the public in any form, and putting it on the Internet for free distribution without authorization.

Current law requires that a prosecutor, or plaintiff in a civil suit, prove ten illegal downloads or \$2,500 in damages. But this is difficult to prove, and often

prevents charges from being brought.

This legislation says that anyone who uploads pre-released, copyrighted material should clearly know that it might be downloaded ten, a hundred - even millions of times, for an incalculable cost. By removing the proof of damages requirement from the law, we make it easier to catch and punish those individuals who are stealing pre-released material and giving it to the public for free.